

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Elliott et al.
Title: KINASES AND PHOSPHATASES
Appl. No.: 10/554,917
International Filing Date: 3/24/2004
371(c) Date: 04/27/07
Patent No.: 7,829,682 B1
Grant Date: 11/9/2010
Examiner: Swope, Sheridan
Art Unit: 1652
Confirmation Number: 9780

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT FOR
PATENT UNDER 37 C.F.R. §1.705(d)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants have calculated PTA for the captioned patent and have determined that the patent is entitled to 853 days of Patent Term Adjustment, as shown on the attached sheet, which shows the relevant delays under 37 CFR §§1.702, 1.703 and 1.704:

(a) Total PTO delay: 865 days

(b) Total Applicant delay: 12 days

Final PTA Determination under 37 CFR §1.703(f): 853 days

In accordance with 1.705(b)(2)(ii), the relevant dates as specified in §§1.703(a) through (e) for which an adjustment is sought and the adjustment as specified in § 1.703(f) to which the patent is entitled are clearly represented in the attached PTA Calculation.

In accordance with §1.705(b)(2)(iv)(A), the circumstances during the prosecution of the application resulting in the patent that constitute a failure to engage in reasonable efforts to conclude processing or examination of such application as set forth in § 1.704 are clearly represented in the attached PTA Calculation.

Applicants therefore respectfully request that the patent be accorded 853 days PTA.

Fees in the amount of \$200.00 set forth in 37 C.F.R. § 1.18(e) to cover the fee for this request are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. § 1.705, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

However, because this PTA error is due to a Patent Office error in interpreting and applying the PTA statute, a refund of the fee is respectfully requested.

Respectfully submitted,

By Michele M. Simkin

Date: January 7, 2011

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

Michele M. Simkin
Attorney for Applicant
Registration No. 34,717

[CLOSE WINDOW](#)[All CASES](#) > [SELECT CASE](#) > Patent Term Adjustment Calculation System

Add a new event to this case

Docket Number: 039386-2277
 Application Number: 10/554917
 Patent Number: N/A

	Event Description	Event Date	Days from Filing	PTO Days	Applicant Days
Edit Delete	Priority Date	04/30/2003	-914		
Edit Delete	International Filing Date	03/24/2004	-585		
	PCT National Stage Commencement Date	10/30/2005	0		
Edit Delete	National Stage Entry (All 371(c) & (f) Requirements Met)	04/27/2007	544		
	14 month From Application date	06/27/2008	971		
	3 Year Period Starts	10/30/2008	1,096		
Edit Delete	Restriction Requirement	01/02/2009	1,160	(189)	
Edit Delete	Restriction Requirement Response Received at PTO	01/27/2009	1,185		
Edit Delete	Notice to File Missing Parts	02/26/2009	1,215		
Edit Delete	Response to Notice of Missing Requirements	03/24/2009	1,241		
	Restriction Requirement Response Filed + 4 months	05/27/2009	1,305		
Edit Delete	Non-Final Office Action	06/03/2009	1,312	(7)	
Edit Delete	Non-Final Office Action Rsp. Rcv'd at PTO	09/02/2009	1,403		
Edit Delete	Final Office Action	10/16/2009	1,447		
Edit Delete	Final Office Action Response Received at PTO	01/14/2010	1,537		
	Final Office Action + 3 months	01/16/2010	1,539		
Edit Delete	Advisory Action	01/26/2010	1,549		
	3 Year Period Paused	01/27/2010	1,550	(454) 579	
Edit Delete	Notice of Appeal Received at PTO	01/28/2010	1,551		
Edit Delete	Appeal Brief Received at PTO	03/26/2010	1,608		
	3 Year Period Resumed	04/01/2010	1,614		
Edit Delete	Appeal Decided by Examiner	04/02/2010	1,615	(65)	
Edit Delete	Notice of Allowance	06/30/2010	1,704		
Edit Delete	Issue Fee Paid	09/20/2010	1,786		
Edit Delete	Patent Grant Date	11/09/2010	1,836	(222) 286	
	Totals:		865		12
	PTA:		853		